

AFFIDAVIT OF DAVID H. BOUCHARD

I, David H. Bouchard, swear that the information set forth in the following paragraphs is true and correct:

1. My name is David H. Bouchard. I am a member in good standing of the Georgia Bar. My bar number is 712859.
2. I am a partner at Finch McCranie, LLP, located at 229 Peachtree St. NE, Suite 2500, Atlanta, GA 30030. Before joining Finch McCranie, LLP, I worked as a lawyer at Jones Day for eight years.
3. I am lead counsel for Plaintiff in the matter *AG v. Northbrook Industries Inc., d/b/a United Inn and Suites*, No. 1:20-cv-05231-JPB, and in the matter *GW v. Northbrook Industries Inc., d/b/a United Inn and Suites*, No. 1:20-cv-05232-JPB.
4. On December 13, 2023, Plaintiffs A.G. and G.W. filed a Motion for Sanctions and Memorandum in Support in their respective cases. Exhibit 32 to the same filings is a chart entitled, "Plaintiffs' Attorneys' Fees Resulting from Defendant's Discovery Negligence."
5. I prepared the chart set forth in Exhibit 32. It is a true and correct statement of the time I devoted to addressing and litigating Defendant's discovery negligence up to and including the filing of Plaintiff's Motion for Sanctions and Memorandum in Support in the A.G. and G.W. matters.
6. Exhibit 32 does not reflect the time I spent preparing and filing a Reply in Support of Plaintiff's Motion for Sanctions, or the time I spent preparing and participating in a hearing on Plaintiff's Motion for Sanctions on August 6, 2024.
7. During a hearing on August 6, 2024 on the request for sanctions, the Court authorized Plaintiff's counsel to submit an updated chart.
8. I have prepared the attached, "Plaintiffs' Attorneys' Fees Resulting from Defendant's Discovery Negligence as of August 13, 2024." The updated chart includes the time I spent preparing and filing a Reply in Support of Plaintiff's Motion for Sanctions and preparing and participating in a hearing on Plaintiff's Motion for Sanctions on August 6, 2024.
9. I am lead counsel in a related case against United Inn & Suites (*J.G. v. United Inn*, Case No. 1:20-cv-05233-SEG). That case involves a substantially similar discovery dispute, and Plaintiff in that case has filed a Motion for Sanctions, too.

10. Some of the work set forth in the attached chart was required to address Defendant's discovery negligence in the *J.G.* matter and in the related *A.G.* and *G.W.* matters. To avoid recovering attorneys' fees for the same work multiple times, I have identified certain tasks that applied to all three cases and divided by 1/3, as indicated in the attached chart. Where work was performed for the *A.G.* and *G.W.* matters only, I divided my time in two.
11. The hourly rate reflected in the attached chart is \$650. I have charged a range of rates in my career as a lawyer at Jones Day and at Finch McCranie, LLP through working on a variety of matters, including business litigation, tort litigation, and federal criminal litigation. Considering the range of rates I have charged on those matters, as well as the market rates for a lawyer with my experience, the \$650 rate in the chart is a modest and reasonable rate. I have worked on and am currently working on other matters where my rate is materially higher.
12. The attached chart does not account for significant time devoted by another Firm lawyer and a Firm administrative support person to addressing and litigating Defendant's discovery negligence.
13. The fees set forth in the attached chart are reasonable and they fairly and accurately reflect the time I spent working to address and litigate Defendant's discovery negligence up to and including the August 6, 2024 hearing on Plaintiff's Motion for Sanctions and Memorandum in Support.
14. I also prepared the attached chart entitled, "Plaintiff's Expenses Resulting from Defendant's Discovery Negligence." The expenses set forth in that chart are true and correct, after being divided by 1/3 for the reasons explained above. Further, the expenses are reasonable because they reflect the costs incurred after re-hiring a court reporter and a videographer as a result of Defendant's discovery negligence.

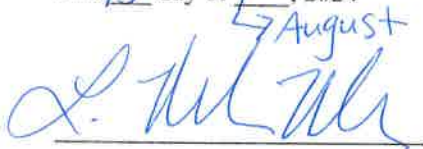
[signature and notary seal on next page]

FURTHER AFFIANT SAYETH NOT:



David H. Bouchard

Sworn and signed before me
This 13th day of August, 2024



Notary Public

(affix seal)

L Melissa Millen
NOTARY PUBLIC
DeKalb County, GEORGIA
My Commission Expires 10/19/2027